



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN  
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL  
LITIGATION BUREAU

Writer's Direct Dial: (212) 416-8118

March 2, 2018

**Via ECF**

Honorable Kenneth M. Karas  
United States District Judge  
Southern District of New York  
300 Quarropas Street, Room 630  
White Plains, New York 10601

Re: Culbreath v. Griffin, 17 CV 03406 (KMK) (LMS)

Your Honor:

This Office represents defendants Griffin, Tokarz, and Nagy ("defendants") in the above captioned § 1983 pro se matter. We write, at the Court's direction, after a status conference on March 1, 2018 with the Honorable Lisa Margaret Smith, to respectfully request an extension of the deadline for the completion of depositions, fact discovery, and the submission of any pre-motion letters.<sup>1</sup> At the status conference on March 1, 2018, the following items were identified as discovery remaining: 1) a ruling on the in camera submission of defendants' personnel file, 2) deposition of the plaintiff, 3) an appropriate medical release, 4) in camera submissions by defendants on March 19, 2018; and 4) service of additional interrogatories on defendants. As the next status conference before Judge Smith is currently scheduled for April 27, 2018 at 10:30 a.m., we respectfully request that the discovery deadline be extended to May 30, 2018. The Court may wish to adjourn the case management conference scheduled for May 2, 2018, at 10:00 a.m. to a date that is convenient to the Court, after the new discovery cutoff date. Plaintiff does not oppose this request.

This is the first request for an extension of the discovery deadline and an adjournment of the case management conference.

Respectfully Submitted,  
/s/  
Julinda Dawkins  
Assistant Attorney General

<sup>1</sup>Depositions are currently to be completed by March 15, 2018 and fact discovery is set to close on March 31, 2018. (See Dkt. No. 18). Movant's pre-motion letter is due April 18, 2018 and the non-movant's response is due April 25, 2018. (Id.).

Honorable Kenneth M. Karas  
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cc: Jeffrey Culbreath, DIN 95-B-1028  
Auburn Correctional Facility  
(By First Class Mail)

All discovery must be completed  
by May 30, 2018. The May 2  
conference is moved to July <sup>13</sup>, 2018,  
at 11:00. The pre-motion letter  
deadlines are moved accordingly.

So Ordered =  
  
3/5/18

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X -----  
JEFFREY CULBREATH, : 17-CV-3406 (KMK)(LMS)  
Plaintiff, :  
- against - : **Affirmation of Service**  
THOMAS GRIFFIN, et al., :  
Defendants. :  
----- X -----

JULINDA DAWKINS, hereby affirms as follows:

That she is more than 18 years old and employed as an Assistant Attorney General in the office of ERIC T. SCHNEIDERMAN, the Attorney General of the State of New York, Attorney for Defendants herein. On the 3<sup>rd</sup> day of March, 2018, she served the annexed **Letter Motion for an Extension of Time** upon the following named persons:

Jeffrey Culbreath  
DIN 95B1028  
Auburn Correctional Facility  
P.O. Box 618  
Auburn, NY 13021

Plaintiff *pro se*, in the within entitled action, by depositing true and correct copy thereof, properly enclosed in post-paid wrapper, in a receptacle maintained by the United States Postal Service, directed to said individual at the address within the State designated by him for that purpose.

I hereby affirm under penalty of perjury that the foregoing is true and correct.

Executed on March 3, 2018

\_\_\_\_\_  
/s/  
Julinda Dawkins